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IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF HAWAII

CLICK ENTERTAINMENT, INC.,) CIVIL NO.07-00342 ACK/KSC
a Hawaii Corporation,)
)
Plaintiff,) FINDINGS AND RECOM-

vs.)

JYP ENTERTAINMENT COMPANY,) TO DEFENDANT BEOM
LTD., a Korean Limited Company;) CHANG KANG

STAR M ENTERTAINMENT, a) HEARING:
Korean Company; BEOM CHANG)

KANG; REVOLUTION ENTER-)
TAINMENT; SE HYUN YUN; JI-) December 30, 2007

HOON JEONG, aka RAIN; JOHN) 9:30 A.M.
DOES 1-25; JANE DOES 1-25; DOE) Magistrate Judge Chang

ENTITIES 1-20,)
)

Defendants.)

and)

JYP ENTERTAINMENT COMPANY,)
 LTD, and JI-HOON JUNG, aka RAIN,)
 Erroneously sued herein as JI-HOON)
 JEONG, aka RAIN,)
)
 Third Party Plaintiffs,)
)
 vs.)
)
 MARK LEWIS; RAIN)
 CORPORATION, a Nevada)
 Corporation,)
)
 Third-Party Defendants.)
 _____)

FINDINGS AND RECOMMENDATION TO GRANT
 PLAINTIFF’S MOTION FOR DEFAULT JUDGMENT
 AS TO DEFENDANT BEOM CHANG KANG

Plaintiff Click Entertainment, Inc., having filed a written motion for the entry of a default judgment as to Defendant Beom Chang Kang [hereinafter “Defendant Kang”]; and

The Plaintiff’s aforementioned motion having come on for a hearing on Tuesday, December 30, 2008, at 9:30 A.M., before the Honorable Kevin S.C. Chang, United States Magistrate Judge; and

Attorney Eric A. Seitz having appeared for the Plaintiff, and Attorneys Jennifer B. Lyons and Jon B. Crocker (via telephone) having appeared

on behalf of Defendants JYP Entertainment Company, Ltd., and Ji-Hoon Jeong, aka “Rain;” and

The Court having considered the Plaintiff’s written motion, the absence of any written opposition thereto, and the records and files herein including the Judgment previously entered herein on June 9, 2008, against Defendants Star M Entertainment [“Star M”] and Revolution Entertainment [“Revolution”]; and

Good cause appearing therefore;

The Court now makes the following findings and recommendation:

(1) On June 21, 2007, Plaintiff Click Entertainment, Inc., filed its Complaint in this Court alleging contract and fraud claims against individuals and entities allegedly responsible for the cancellation of a Honolulu, Hawaii concert by Defendant “Rain” for which Plaintiff was the local promoter;

(2) Plaintiff’s Complaint was served on Defendant Kang on December 7, 2007, and a responsive pleading was due to be filed on or before January 9, 2008;

(3) There is no evidence that Defendant Kang ever filed any responsive pleading, sought an extension of time to do so, or otherwise appeared in this litigation;

(4) On November 17, 2008, the Clerk entered a default against Defendant Kang pursuant to the Plaintiff’s written motion, and the instant motion for

entry of a judgment was filed on November 19, 2008;

(5) In the declaration of it's principal, Seung Su Lee, filed herein in support of the Plaintiff's earlier motion for entry of a judgment against Star M and Revolution, Plaintiff cited a written contract dated March 20, 2007, by which it purchased and paid for the rights to the Hawaii concert of Rain for the sum of \$540,000 which was to have taken place in Honolulu in July, 2007;

(6) According to Mr. Lee's declaration, the Honolulu concert was originally scheduled to take place on July 3, 2007, then unilaterally rescheduled for June 15, 2007, and then cancelled by Star M due to alleged inadequacies in the stage set up, after the Plaintiff already had incurred costs and expenses to rent Aloha Stadium, advertise the concert, print and sell tickets, and for other related expenses in an amount totaling \$596,700.00;

(7) Although Plaintiff previously sought damages, fees, and costs in excess of \$32,000,000.00, in the Judgment entered on June 9, 2008, against Defendants Star M and Revolution the Court awarded Plaintiff only \$2,136,700.00;

(8) Plaintiff now seeks an identical judgment against Defendant Kang in the limited amount of \$2,136,700.00;

(9) Based upon the records and files herein, the Court finds that the amount of damages sought by the Plaintiff against Defendant Kang is amply

supported by the evidence and is reasonable and just;

(10) The Court therefore recommends that the Plaintiff's Motion for Default Judgment on Proof be granted and that a Judgment be entered in favor of Plaintiff and against Defendant Kang in the amount of \$2,136,700.00.

DATED: Honolulu, Hawaii, February 20, 2009.




Kevin S.C. Chang
United States Magistrate Judge